

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

June 28 - July 2, 1999

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-29	EX	75/130,836	Kaire Int'l., Inc.	Cissel Hanak* Wendel	2(d)	Refusal Affirmed		"IMMUNOL" [dietary and nutritional supplements]	"IMUNOLE" [food supplements]	R. McMorrow	No
6-29	OPP	101,850	Miguel Torres, S. A. v. Norsan Foods, Inc.	Cissel Seeherman* Hohein	2(d)	Opposition Sustained	"DE CASTA" [wine]	"CASTA" [tequila]			No
6-29	EX	75/133,615	Teloquent Communications Corp.	Seeherman* Hanak Chapman	2(e)(1)	Refusal Affirmed		"WEB CALL CENTER" [computer software for coordinating global network access with telephone communication operations]		Cataldo	No
6-29	EX	75/145,534	Zinpro Corp.	Seeherman* Quinn Wendel	2(e)(1)	Refusal Affirmed		"AMINO ACID EXTRACTION PROCESS" [animal nutritional feed supplements]		Levine	No
6-29	EX	74/684,250	Global Connection, Inc.	Cissel Hohein* Wendel	2(d)	Refusal Affirmed		"TIFFIN CUSTOM FURNITURE" [furniture, namely, racks for audio/visual components]	"TIFFIN SYSTEMS" [furniture, namely, work benches, work tables, storage cabinets, mobile tool carts, etc.]	Goodman	No
6-29	EX EX	74/563,438 74/563,439	Interactive Concepts Unlimited, Inc.	Cissel Quinn* Bucher	2(e)(1)	Refusal Affirmed (in both cases)		"REALTIME SPORTS" [compact discs featuring sports information, and accompanying computer software and user documentation, sold as a unit; computerized information services in the fields of entertainment, sports, education, and related news]		Reihner	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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6-29	EX	75/212,309	Psychographics Design Group, Inc.	Chapman* Wendel Bucher	2(d)	Refusal Affirmed (but only as to the mark "A STATE OF MIND")		"SUNDAY STATE OF MIND" [t-shirts, polo shirts, jackets, sweaters, etc.]	"A STATE OF MIND" and "A PENNSYLVANIA STATE OF MIND" [both marks for caps, shirts, jackets, and sweaters]	Thompson	No
6-29	EX	74/719,760	UMI Co.	Hanak Hairston Wendel*	2(d)	Refusal Affirmed		"BANKING INFORMATION SOURCE" [computer services, namely, providing on-line information data bases for the retrieval of information in the nature of articles from business publications, including bibliographic citations and abstracts relating thereto]		Santo-martino	No
6-29	OPP	99,389	Lite Breeze, Inc. v. Venator Group Retail, Inc.	Cissel Hanak* Quinn	2(d) [priority]; whether applicant's mark was in use prior to the filing date of its use-based application for registration	Opposition Sustained (on both grounds for opposition)	"IN THE ZONE" [shorts, t-shirts, tank tops, sweat shirts and sweat pants]	"THE ZONE" (and design) [men's and women's clothing, namely, t-shirts, sweat shirts and underwear]			No

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6-29	OPP (SJ)	99,709	Rudolf Wild GmbH & Co. v. Coca-Cola Co.	Simms* Hohein Hairston	2(d); whether opposer states a proper ground for opposition by its allegation that applicant is attempting to "genericize" the word "POUCH" in connection with packaging for juice and fruit drinks; whether applicant has a bona fide intent to use its mark in commerce	Opposition Dismissed [motion for summary judgment granted]	"POUCH" [juice drinks]	"MINUTE POUCH" [fruit drinks, fruit juices and concentrates]			No
6-29	OPP	99,992	Order Sons of Italy in America v. Richard Callisi	Cissel Hairston* Walters	2(a) [matter which may disparage; matter which may bring persons into contempt or disrepute]	Opposition Dismissed		"GOODFELLAS" (and design) [entertainment services, namely, live performances by a musical groups]			No

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6-30	EX	74/612,384	Metrologic Instruments, Inc.	Hanak Hohein* Chapman	2(e)(1)	Refusal Reversed		"SCANKEY" [bar code scanners and readers]		Lykos	No
7-1	EX	75/117,414	Intralux Australia Pty. Ltd.	Seeherman* Hanak Wendel	2(d)	Refusal Affirmed		"INTRALUX" [electric lighting fixtures, electric lighting systems, etc.]	"ENTRALUX" [wall mounted electrical lighting fixtures]	Yard	No

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